IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

WP(C).No. 36127 of 2007(A)

PETITIONER:

K.P.SADULI,S/O. K.MUHAMMED,
KEELATH PUTHERNPURAYIL HOUSE
PROPRIETOR, M/S. SADHU WOOD BOARD SUPPLY
RAHIMANIYA COMPOUND,KOLACHERY P.O.,
KANNUR DISTRICT.

BY ADV. SRI.P.K.RAVISANKAR

RESPONDENTS:
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1. STATE OF KERALA
REPRESENTED BY ITS SECRETARY
DEPARTMENT OF FOREST,
THIRUVANANTHAPURAM.

2. DIVISIONAL FOREST OFFICER
KANNUR DIVISION, KANNUR-12.

BY GOVERNMENT PLEADER SRI.BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 36127 OF 2007 A
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Dated this the 18th day of December, 2007

J U D G M E N T

Petitioner is running a wood based industry. For the issuance of licence, Ext.P1 NOC was issued by the 2nd respondent. The period of the licence expired in 1999. Thereafter, petitioner sought renewal only in 2006 when he has been told by Ext.P3 that he should obtain NOC from the Central Empowered Committee appointed by the Supreme Court. It is this communication that is under challenge.

2. Petitioner submits that this is only renewal of licence and therefore, there is no necessity for obtaining NOC from the Central Empowered Committee.

3. Having considered the submission made by the petitioner, I am not inclined to agree with the petitioner. It is the admitted case that the period of licence expired in 1999 and

thereafter the licence was not renewed. When the application was made in 2006, that can be treated only as one for a fresh grant. If that be so, all conditions that are required to be satisfied for grant of a fresh licence will have to be satisfied by the petitioner. It is on that basis that NOC of the Central Empowered Committee has been sought for.

I do not find any irregularity in Ext.P3. Writ petition fails and is dismissed.

ANTONY DOMINIC, JUDGE.

Rp